

## SEWRPC ADOPTS REGIONAL PLANS

Progress on Commission work programs in 1966 was marked by Commission adoption of three important components of a comprehensive plan for the physical development of the Southeastern Wisconsin Region. These components are a comprehensive plan for the Root River watershed, a regional land use plan, and a regional transportation plan. Commission efforts over the past four years have culminated in this important achievement during 1966. In a larger sense, however, real progress will only be made toward the attainment of regional development objectives when the local communities and counties which comprise the Region, together with certain state and federal agencies of government concerned with regional development, adopt and integrate the regional plan elements into their own comprehensive or single-purpose development plans and then initiate action programs to implement these plans.

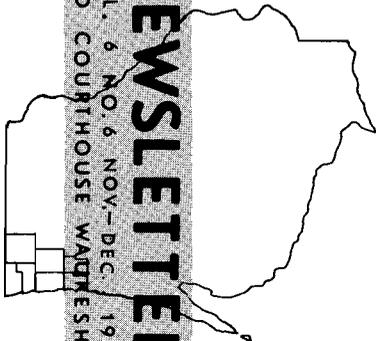
### ADOPTION OF ROOT RIVER PLAN

#### Initiation of the Study

Early in 1962 the City of Racine advised the Southeastern Wisconsin Regional Planning Commission of periodic and costly flooding along the Root River, which affected the property and general welfare of its citizens, and formally requested assistance toward a long-range solution of these problems. As a result

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of this request, the Regional Planning Commission created the Root River Watershed Committee, comprised of both technical and elected local officials from within the watershed area, to assist the Commission in its study of these problems. By February 1963 this committee had prepared and approved a prospectus for a comprehensive watershed planning program covering the entire Root River basin.

The Root River Prospectus identified four major water-related problems requiring a comprehensive, areawide approach for solution: 1) drainage and flood control; 2) water pollution; 3) reservation of park and related public open-space; and, underlying the first three, 4) rapidly changing land use, particularly in the flood plains. The Prospectus recommended that a comprehensive watershed planning program be carried out to find solutions to these problems and to provide a plan for the development of the watershed. The study was to encompass the entire Root River drainage basin, an area comprising 197 square miles within four of the seven counties which constitute the Southeastern Wisconsin Region; namely, Kenosha, Milwaukee, Racine, and Waukesha. The Prospectus was subsequently approved by the Commission, the four county boards concerned, and the U. S. Housing and Home Finance Agency, which shared in the cost of the study. Work on the study was begun in July 1964.

### The Study

The work program was accomplished by the Commission staff and private consultants working under the general direction of the watershed committee. Harza Engineering Company of Chicago, a consulting engineering firm which specializes in water resource planning and development, was retained to assist the Commission in the hydrologic and hydraulic engineering elements of the study. Alster and Associates, Inc., photogrammetric engineers of Madison, Wisconsin, carried out the necessary large-scale flood hazard mapping program; and Professor Jacob H. Beuscher, of the University of Wisconsin Law School, carried out the necessary water law study. A preliminary report presenting the findings

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of the study, together with alternative plans for the Root River watershed, was published by the Commission in December 1965.

### Commission Adoption

Five public meetings were held during February 1966, at which the alternative plans for development of the Root River watershed were presented to public officials and interested citizens within the watershed. Following these meetings and evaluation of the alternative plans by the Root River Watershed Committee, a final planning report was published. On June 22, 1966, the Root River Watershed Committee recommended to the Commission adoption of the watershed plan as contained in the final report. On September 22, 1966, the Regional Planning Commission adopted the comprehensive plan for the Root River watershed. The Root River watershed plan as presented in SEWRPC Planning Report No. 9, A Comprehensive Plan for the Root River Watershed, thus became the first regional plan element to be adopted by the Regional Planning Commission.

### Local Acceptance of Plans

The portions of the Root River watershed lying within Milwaukee County and Racine County are the areas most affected by the Commission plan recommendations. Both of these counties have taken action on the recommended plan. The Milwaukee County Board of Supervisors on May 31, 1966, upon recommendation of the Milwaukee County Park Commission, approved the preliminary plan for the Root River watershed. In Racine County on June 21, 1966, the City of Racine Common Council, following a recommendation by the Racine City Plan Commission, adopted a resolution also formally approving the preliminary plan for the Root River watershed. The Council pledged the cooperation of the city in the development of the final plans. The Council at the same time requested the Racine County Board to approve the preliminary plans, to approve the final plans developed therefrom, and to take whatever action that is required to implement the recommendations contained in the plans for Racine County.

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On October 25, 1966, the Racine County Board adopted a resolution which approved and officially adopted the comprehensive plan for the Root River watershed as published in SEWRPC Planning Report No. 9. The County Board referred the plan to the County Planning Committee, the Highway and Parks Committee, and the Open Land Acquisition Committee to determine the best means of expeditiously implementing the various elements of the plan that affect Racine County. Similar action is anticipated from the other units and agencies of government within the watershed.

Some agencies of government have already acted to carry out certain recommendations contained in the plan. For example, following recommendations contained in the Root River report, the Racine County Board has acted to retain a full-time park planner, Mr. Karl B. Holzwarth, who has begun preliminary work necessary to the acquisition of the recommended parkway areas along the Root River. The County Board has also acted to retain a full-time county planner and to prepare the flood plain zoning regulations recommended in the plan report. In Milwaukee County land acquisition for the recommended Oakwood Lake Reservoir has almost been completed.

### ADOPTION OF THE REGIONAL LAND USE AND TRANSPORTATION PLANS

#### Initiation of the Study

The land use-transportation study, which resulted in the land use and transportation plans adopted by the Regional Planning Commission on December 1, 1966, had its formal beginning on October 21, 1961, about 14 months after the creation of the SEWRPC. The Commission early in its existence realized that transportation, because of its many impacts on daily life, was and would continue to be one of the most important policy considerations facing public officials. An Interagency Technical Advisory Committee on Regional Transportation Planning was, therefore, established by the Regional Planning Commission, comprised of

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representatives of the State Highway Commission of Wisconsin (Messrs. Douglas F. Haist, Chief of Long Range Planning; Thomas R. Clark, Traffic Engineer, District 2; Harvey Shebesta, Traffic Engineer, Metropolitan District); the U. S. Bureau of Public Roads (Messrs. Robert H. Paddock, Division Engineer, and James H. Groenier, Division Planning and Research Engineer); Milwaukee County (Mr. Henry Wildschut, Highway Commissioner and Director of Public Works); and the Regional Planning Commission (Mr. K. W. Bauer, Assistant Director). The committee first met on that date to begin exploring the feasibility of conducting a regional transportation study and developing a study prospectus.

In April 1962 the SEWRPC published the Regional Planning Program Prospectus in which the Interagency Technical Advisory Committee set forth its proposals for a regional transportation study, including a proposed budget. The cost of the study was estimated to be \$1,987,000, with a recommendation that 31.32 percent of this cost be financed by the Housing and Home Finance Agency, 45.07 percent jointly by the U. S. Bureau of Public Roads and the State Highway Commission of Wisconsin, and the remaining 23.61 percent by the seven counties comprising the Southeastern Wisconsin Region.

The Regional Planning Commission, after formally accepting the recommendations of the Interagency Technical Advisory Committee on Regional Transportation Planning, submitted requests for the necessary funding to the Housing and Home Finance Agency, the U. S. Bureau of Public Roads, the State Highway Commission of Wisconsin, and the seven county boards concerned. These requests were approved by the various agencies, and on January 1, 1963, the SEWRPC began the Regional Land Use-Transportation Study.

### The Study

The study was organized into three major areas of responsibility. The Systems Engineering Division of SEWRPC was made responsible for

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formulating and refining simulation models of regional economic and population activity, spatial or land use activity, and highway and transit traffic flows. The Transportation Planning Division of SEWRPC was made responsible for the gathering of all pertinent data on existing traffic service demand and facilities, as well as to assist in projection of traffic service demand and in the refinement of the transportation models, and for the preparation of transportation facility plans. The Land Use Planning Division of SEWRPC was made responsible for the collection of all pertinent data on existing and proposed land use, on the natural resource base, on property values, on economic activity, on population, and on related socio-economic factors and for the preparation of land use plans. Much of the work was done by the SEWRPC staff. Some of the work requiring specialized skills, knowledge, or equipment was done under contract with outside agencies and consultants. The latter work included the regional soil survey; aerial photography; and inventories of woodlands, wetlands, wildlife habitat areas, outdoor recreation facilities, historic sites, and potential park and related open-space sites. Much valuable staff assistance was received from the State Highway Commission of Wisconsin, Wisconsin Conservation Commission, Milwaukee County, and the City of Milwaukee.

During the course of the study, three different land use plans were prepared: a Controlled Existing Trend Plan, a Corridor Plan, and a Satellite City Plan.

### Commission Adoption

The alternative plans were presented in a series of ten public hearings held in May, June, and July 1966 before the seven county boards and local officials, the State Highway Commission of Wisconsin, the Common Council of the City of Milwaukee, and a joint meeting of the Milwaukee County Expressway Commission and the Park Commission. Then on August 31, 1966, the Intergovernmental Coordinating Committee on Regional Land Use-Transportation Planning met to consider the find-

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ings of these hearings and the SEWRPC staff evaluations of the three alternatives. After consideration of these factors and their own deliberations, the committee unanimously adopted a resolution to recommend to the Regional Planning Commission adoption of the Controlled Existing Trend Plan.

On October 26, 1966, at the Regional Planning Commission's 5th Regional Planning Conference, the recommended plan was presented at a plenary session on a regional basis and in separate workshops for each individual county. This conference, in effect, served as a public hearing on the recommended plan.

The series of hearings, the committee recommendations, and the planning conference provided the Regional Planning Commission, at its quarterly meeting on December 1, 1966, with the benefit of a great deal of local sentiment and technical evaluation on which to base its decision. The Commission acted at that meeting to unanimously adopt the regional land use and transportation plans as recommended by the Intergovernmental Coordinating Committee on Regional Land Use-Transportation Planning.

### Toward Implementation

The final volume of the three-volume SEWRPC Planning Report No. 7, dealing with the Recommended Regional Land Use and Transportation Plans—1990, is scheduled to be released March 2, 1967, at the Commission regular quarterly meeting. This report will contain the recommended land use and transportation plans and will compare these plans with the possible results of continued trend development within the Region. The report will contain specific recommendations on how the plan can best be implemented by the local, state, and federal agencies of government concerned.

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Some agencies of government have already acted to carry out certain of the recommendations contained in the plans. For example, the Town of Belgium has adopted a zoning ordinance which serves to implement a portion of the land use plan (see Newsletter Volume 6 - No. 4). The Walworth County Board of Supervisors has adopted a county sanitary code based upon the regional soils survey to regulate private water supply and sewage disposal systems within Walworth County (see Newsletter Volume 6 - No. 4). The State Highway Commission of Wisconsin has begun work on the determination of the final alignment of certain freeway facilities recommended in the plans. Implementation of the plans will require the cooperative efforts of all of the local units of government within the Region, as well as of certain state and federal agencies, since the function of the Regional Planning Commission is only to prepare plans and make recommendations. Action on these plans and recommendations must rest with the line agencies concerned.

## SEWRPC NOTES

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### SEWRPC Commissioners Reappointed

Commission Chairman George C. Berteau announced at the Commission quarterly meeting on December 1, 1966, the reappointment to new, full six-year terms of the seven Commissioners whose terms expired on September 15, 1966. Three of the seven Commissioners were reappointed by Governor Warren P. Knowles. They are: Richard W. Cutler, Milwaukee County; James F. Egan, Ozaukee County; and John D. Voss, Walworth County. The other four Commissioners were reappointed by their respective county boards. They are: John P. Murphy, Milwaukee County; Ray F. Blank, Ozaukee County; Garth R. Seehawer, Racine County; and Joseph A. Schmitz, Washington County. Garth R. Seehawer was first appointed a Regional Planning Commissioner on April 15, 1966, to fill an unexpired term. The other six Commissioners have served on the Commission since the creation of the Commission.

## SEWRPC NOTES (continued)

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### SEWRPC Elects Officers

John P. Murphy, Chairman of the Commission Nominating Committee, announced the results of the election of Commission officers for 1967 held at the Commission quarterly meeting on December 1, 1966. The newly elected officers are: George C. Berteau, Kenosha County, who was re-elected to his sixth term as Chairman; Eugene Hollister, Walworth County, Vice-Chairman; Richard W. Cutler, Milwaukee County, who was re-elected to his fourth term as Secretary; and Mervin L. Brandt, Waukesha County, Treasurer.

The Executive Committee, which was also elected at the quarterly meeting, consists of the four officers and the following Commissioners: James F. Egan, Ozaukee County; Milton F. LaPour, Racine County; Joseph A. Schmitz and Arthur E. Weiner, both of Washington County; and Maynard W. Meyer, Waukesha County.

### Standing Committees Named

Chairman Berteau also announced committee assignments for the three standing committees of the SEWRPC for 1967. They are:

#### Administrative Committee:

Milton F. LaPour, Chairman, Racine County; Lyle L. Link, Vice-Chairman, Waukesha County, Mervin L. Brandt, Waukesha County; Joseph A. Schmitz, Washington County; Judge John D. Voss, Walworth County.

#### Planning and Research Committee:

Maynard W. Meyer, Chairman, Waukesha County; Professor Henry J. Schmandt, Vice-Chairman, Milwaukee County; George C. Berteau, Kenosha County; Richard W. Cutler, Milwaukee County; James F. Egan, Ozaukee County; Dr. Carlton M. Herman, Washington County; Lyle L. Link, Waukesha County; Sam Rizzo, Racine County; Ray Schmidt, Walworth County.

## SEWRPC NOTES (continued)

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### Intergovernmental and Public Relations Committee:

Joseph A. Schmitz, Chairman, Washington County; John P. Murphy, Vice-Chairman, Milwaukee County; Ray F. Blank, Ozaukee County; Mervin L. Brandt, Waukesha County; Eugene Hollister, Walworth County; Jacob Kammerzelt, Kenosha County; Garth R. Seehawer, Racine County.

### SEWRPC Releases Planning Law Report

SEWRPC Technical Report No. 6, entitled Planning Law in Southeastern Wisconsin, has just been released by the SEWRPC. It was prepared for SEWRPC by J. H. Beuscher, Professor of Law at the University of Wisconsin Law School.

This report presents the results of an inventory and evaluation of planning law, with emphasis upon the planning and plan implementation powers available to the federal, state, areawide, and local levels of government in southeastern Wisconsin. Careful attention is given in this report to private property rights and the limitations which these rights properly impose on governmental powers. Attention is also focused on the problem of placing development in time, as well as in space, and to the problems of open-space reservation and highway right-of-way protection in rapidly urbanizing areas. The various plan implementation powers and financial assistance programs available to governments within southeastern Wisconsin are summarized in an appendix table for ready reference.

Results of the planning law study provided a basis for the regional land use and transportation plan implementation recommendations contained in the forthcoming SEWRPC Planning Report No. 7, Volume 3, Recommended Regional Land Use and Transportation Plans—1990. The results of the study as contained in this technical report will also serve as a convenient reference work for local units of government within the Region.

Copies of the report are being sent to all participating units of government and to all major libraries within the Region. The report is also available for general distribution within the Region at a price of \$1.50 and outside the Region at a price of \$3.00.

## QUESTION BOX

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### WHAT DOES PLAN ADOPTION BY A LEGISLATIVE BODY SIGNIFY?

A clear distinction should be made between the adoption of a plan by a legislative body and the adoption of plan implementation actions, such as the adoption of an official map, a zoning ordinance, or a public works project in accordance with the plan. By the former action, the legislative body simply recognizes the plan as a guide for its own use in the making of community development decisions. The latter converts the plan recommendations into official government policy and action programs, creating new legal relationships and establishing certain rights, liabilities, and obligations.

Thus, adoption of the recommended regional land use and transportation plans by county boards, common councils, village boards, or town boards would signify the intent of the adopting bodies to use the plans as a guide when considering, on a day-to-day basis, various development proposals submitted to them. After adoption the plans should be used as a guide for decision-making by the adopting body whether the development proposals to be considered relate to the regulation of private development, such as a requested zoning change or subdivision plat approval, or to public development, such as the extension of sewer and water facilities, the acquisition and development of park land, or the construction or improvement of arterial streets and highways.

In reviewing such development proposals, a determination should be made by the legislative body as to whether a given development proposal is in conflict with the adopted plans. If there is a conflict, the reviewing agency should determine the basis for the plan recommendations and whether or not the development proposal is actually an improvement over the plan proposals. If the latter is found to be the case, the development proposal can be approved and the plan amended. If not, the development proposal should be rejected or amended. Thus, the plans become flexible guides to aid the legislative body in the performance of its duties.

It is not expected that adoption of regional plans by the various agencies or units of government operating within southeastern Wisconsin will result in any massive plan implementation action. Rather, plan implementation will come about through thousands of individual development decisions made in light of the adopted plans on a day-to-day basis over a period of many years by many agencies and levels of government.

In this respect, it must also be kept in mind that the recommended land use and transportation plans are regional in nature and, therefore, necessarily general. As such, they are meant to supplement and not supplant local plans, which should serve to detail and carry out the regional plans.

QUOTABLE QUOTE.....

"The three main aspects of planning--survey, evaluation, and the plan proper--are only preliminary: a final stage must follow, which involves the intelligent absorption of the plan by the community and its translation into action through the appropriate political and economic agencies.

In this stage, the plan undergoes a readaptation as it encounters the traditions, the conventions, the resistance, and sometimes the unexpected opportunities of actual life."

Lewis Mumford

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